

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ORIGINAL

In the Matter of)
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GTA WIRELESS, LLC)
)
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Petition for Designation as an Eligible)
Telecommunications Carrier)

CC Docket No. 96-45

RECEIVED

MAY 19 2005

Federal Communications Commission
Office of Secretary

**PETITION OF
GTA WIRELESS, LLC
FOR DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER**

Dated: May 19, 2005

No. of Copies rec'd 045
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Petition for Designation as an)
Eligible Telecommunications)
Carrier)

**PETITION FOR DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER**

GTA Wireless, LLC ("GTA Wireless" or "Company"), through its undersigned counsel, and pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended ("Act"), and the Federal Communications Commission's ("FCC" or "Commission") Public Notice implementing Section 214(e)(6),¹ hereby petitions the Wireline Competition Bureau to designate GTA Wireless as an eligible telecommunications carrier ("ETC") throughout the Territory of Guam.²

The Public Utilities Commission of Guam ("GPUC") intends to refrain from exercising jurisdiction to consider GTA Wireless's request to be designated an ETC.³ Therefore, the Commission has jurisdiction under Section 214(e)(6) to consider and grant this Petition. As

¹ *Procedures for FCC Designation of Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act*, Public Notice, FCC 97-419, 12 FCC Rcd. 22497 (1997).

² The designated area requested includes the entire island of Guam. This service area encompasses the entire study area of the incumbent local exchange carrier, TeleGuam Holdings, LLC.

³ See Exhibit 2, letter dated March 6, 2005 from the GPUC, in which the GPUC states it does not intend to exercise jurisdiction over GTA Wireless' ETC designation request.

demonstrated below, GTA Wireless meets all the current requirements for ETC designation to serve Guam customers, and designating GTA Wireless as an ETC will serve the public interest.⁴

I. BACKGROUND INFORMATION ON GTA WIRELESS

GTA Wireless is a recently formed Delaware limited liability company wholly-owned by TeleGuam Holdings, LLC ("TeleGuam"), the winning bidder in the privatization of Guam's incumbent local exchange carrier, the Guam Telephone Authority ("GTA"). GTA Wireless was formed by TeleGuam to assume GTA's wireless operations. GTA Wireless holds two Commission issued common carrier radio licenses, call signs KNKQ317 and KNLF917.

Prior to its privatization, the Guam Telephone Authority ("GTA") provided wireless services on Guam primarily to wireless resellers and to approximately 3,000 consumers on Guam. GTA cellular subscriber counts fell steadily after 1999, when the Guam Territorial Court ruled that GTA (as a government-owned entity) could not actively market its wireless service directly to consumers. The current network consists of 13 cell sites throughout the island and 1 switching center with 24,000-subscriber capacity, well in excess of its current load.

As part of the Guam Telephone Authority privatization process, TeleGuam and its subsidiaries committed to bettering the lives of citizens on Guam by improving the level of service previously provided by GTA and expanding the range of services available to them. As a newly privately-owned entity, GTA Wireless is not subject to the restrictive decision of the Guam Territorial Court. As part of its business plan, TeleGuam intends to invest significantly to improve the wireless infrastructure of the island. In particular, as part of its capital expenditure

⁴ The FCC recently issued a Report and Order which imposes additional requirements on ETC applicants. *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, rel. Mar. 17, 2005 ("*ETC Order*"). Even though these additional requirements are not yet effective, GTA Wireless demonstrates its satisfaction of such additional requirements herein, with the exception of the five-year construction plan. *See ETC Order*, at ¶ 23. GTA Wireless will supplement this Petition to provide its five-year construction plan in accordance with the *ETC Order* as soon as possible.

program, TeleGuam plans to upgrade the wireless TDMA network to GSM technology in an effort to capture a greater share of the local wireless market.

GTA Wireless believes that with its upgraded wireless network, it will be able to compete with other wireless service providers on Guam in price and quality, and will be able to offer innovative service bundles as well. Specifically, GTA Wireless intends to offer various service offering packages that will provide the best in class local voice, data and long distance wireless services. With these packages, GTA Wireless subscribers will have full GSM coverage throughout the island, efficient and easy to use voicemail services, push-to-talk walkie-talkie services, and full roaming in North America, Japan and approximately over 200 other countries.

In addition to the voice offerings, the GSM platform will allow for data transmission as well. This will include: (i) short messaging service, allowing the customer to send and receive text messages on mobile telephones; (ii) multimedia messaging services, allowing for personalized multimedia content such as images, audio, text, and video, and (iii) Blackberry support, giving customers push-based technology that automatically delivers email and a virtually unlimited range of other data to wireless handhelds. The packages will provide various options for the residents of Guam, including the convenience of post-paid packages, as well as the control of pre-paid packages.

The improved GSM platform will not only attract the residents of Guam due to improved coverage on the island, but will be a major draw for increased military use. U.S. troops stationed on Guam and their dependents will be able to buy a wireless service package that offers unlimited calls both locally and to the mainland U.S.

II. GTA WIRELESS'S UNIVERSAL SERVICE OFFERINGS

GTA Wireless provides cellular telecommunications and personal communications services (collectively referred to as "CMRS" or "wireless") throughout Guam as pictured on the

maps attached as Exhibit 3. As an FCC-licensed wireless service provider,⁵ GTA Wireless provides service in accordance with the terms of its FCC licenses, and is required to serve only in the areas where it is licensed by the Commission. The wireless service area served by GTA Wireless in accordance with its FCC licenses is the entire Territory of Guam. GTA Wireless is either providing service, or intends to initiate service, in all of its licensed service territory as shown on the map in Exhibit 3.

With this Application, GTA Wireless seeks to be designated as an ETC for the entire Territory of Guam. GTA Wireless proposes to provide service as an ETC to the entire territory of Guam, and emphasizes that it is not “picking and choosing” or “creamskimming” a designated service area based upon the high or low cost of serving any particular portion of its service territory.

Moreover, GTA Wireless seeks ETC designation to expand its telecommunications offerings to consumers in the Territory of Guam. GTA Wireless either currently provides, or intends to provide, all of the services and functionalities supported by the federal universal service program, enumerated in Section 54.101(a) of the Commission’s rules, throughout the Territory of Guam.

Upon ETC designation, GTA Wireless will make available to consumers a universal service offering over its existing and expanded networks infrastructure and spectrum, including the same antenna, cell-site, tower, trunking, mobile switching, and interconnection facilities used by GTA Wireless to serve its non-ETC customers. As described below, GTA Wireless also will provide service to any requesting customer within Guam, and, if necessary, will deploy any additional facilities necessary to do so.

⁵ GTA Wireless is the assignee of TeleGuam Holdings, LLC’s licenses KNKQ317 and KNLF917. See Public Notice Report No. 2074, dated Feb. 16, 2005.

III. GTA WIRELESS SATISFIES ALL THE STATUTORY AND REGULATORY PREREQUISITES FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

GTA Wireless satisfies each of the elements set forth in the Commission's Section 214(e)(6) Procedure Public Notice, as shown below.⁶

A. GTA Wireless's ETC Request is not Subject to the Jurisdiction of the GPUC

GTA Wireless provides CMRS, and the Commission has previously recognized that a CMRS provider may seek designation as an ETC.⁷ Section 332(c)(3) of the Act precludes rate and entry regulation of CMRS providers by state public utility commissions.⁸ This Commission has jurisdiction, under Section 214(e)(6), to designate CMRS providers as ETCs.

The GPUC, in a letter attached to this Petition as Exhibit 2, has confirmed that the GPUC will not exercise jurisdiction over GTA Wireless's request for ETC designation. GTA Wireless therefore must seek ETC designation from the FCC pursuant to Section 214(e)(6).

⁶ As mentioned previously, GTA Wireless satisfies all current requirements for ETC designation, including all but one of the newly released requirements contained in the *ETC Order*. GTA Wireless will supplement this Petition shortly to provide its five-year construction plan in accordance with the *ETC Order*. See *ETC Order*, at ¶ 23. All other elements of the *ETC Order*, however, are addressed and satisfied in this Petition.

⁷ See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, First Report and Order, 12 FCC Rcd. 8776, 8858-59, ¶ 145 (1997) ("Universal Service First Report and Order"); *Federal-State Joint Board on Universal Service, Access Charge Reform*, Seventh Report and Order and Thirteenth Order on Reconsideration in CC Docket No. 96-45, Fourth Report and Order in CC Docket No. 96-262, and Further Notice of Proposed Rulemaking, FCC 99-119 at ¶ 72 (released May 28, 1999).

⁸ 47 U.S.C. § 332(c)(3). State implementation of Section 214(e) is arguably a form of entry regulation (particularly given the overall focus of Section 214 of the Act on authorizing carriers to extend facilities or to provide service). See also *Federal-State Joint Board on Universal Service: Promoting Deployment and Subscribership in Unserved and Underserved Areas, Including Tribal and Insular Areas*, CC Docket No. 96-45, Further Notice of Proposed Rulemaking, FCC 99-204, ¶¶ 78, 82 (released September 3, 1999) (suggesting that FCC may designate CMRS providers as ETCs under 47 U.S.C. 214(e)(6) and 332(c)(3)).

B. GTA Wireless Offers all of the Services Supported by the Federal High-Cost Universal Service Program

GTA Wireless satisfies the FCC's requirements that an ETC designated pursuant to Section 214(e)(6) "offer, or will be able to offer all of the services designated for support by the Commission."⁹ As described below, GTA Wireless currently offers, or intends to offer, each of the supported services described in Section 54.101(a) of the Commission's rules throughout its licensed service territory.¹⁰ Once designated as an ETC, GTA Wireless will make available a "universal service" offering that includes all of the supported services for consumers on Guam.

1. Voice-Grade Access to the Public Switched Network. As an existing CMRS provider on Guam, GTA Wireless currently provides voice-grade access to the public switched network throughout its licensed service territory. Through interconnection and other arrangements with Guam's incumbent rural exchange carrier, GTA Wireless is able to originate and terminate telephone service for all its subscribers on Guam.

2. Local Usage. Throughout its licensed service territory, GTA Wireless currently intends to offer several service options that include varying amounts of local usage in monthly service plans. GTA Wireless intends to offer its universal service customers a rate plan that includes unlimited local usage, comparable to the incumbent local exchange carrier on Guam. GTA Wireless will satisfy the local usage criterion for ETC designation based upon its offering of unlimited local usage calling plans.

⁹ *Designation of Fort Mojave Telecommunications, Inc., et al., as Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act*, 13 FCC Rcd. 4547, 4553, ¶ 11 (CCB 1998) ("*Fort Mojave*"). A declaration attesting to GTA Wireless's ability and commitment to offer each of the supported services is attached hereto at Exhibit 1.

¹⁰ 47 C.F.R. § 54.101(a). GTA Wireless's current coverage area is shown on the maps attached as Exhibit 3. Wire center information for the area in which GTA Wireless seeks ETC designation is attached hereto as Exhibit 4.

3. Functional Equivalent of Touch-Tone (“DTMF”) Signaling. Throughout its licensed service territory, GTA Wireless currently uses, or intends to use, out-of-band digital signaling and in-band multi-frequency (“MF”) signaling that is functionally equivalent to DTMF signaling. GTA Wireless therefore meets the requirement to provide DTMF signaling or its functional equivalent.¹¹

4. Single Party Service. GTA Wireless meets the requirement of single-party service because it currently provides a dedicated message path for the length of all customer calls throughout its licensed service territory.¹²

5. Access to Emergency Service. GTA Wireless currently offers, or intends to offer, access to emergency service throughout its licensed service territory by dialing 911. Enhanced 911 (“E911”), which includes the capability of providing both automatic numbering information (“ANI”) and automatic location information (“ALI”), is required only if a public emergency service provider makes arrangements for the delivery of such information.¹³ The Commission has already held that wireless providers may be designated as ETCs despite the current unavailability of E911.¹⁴ Therefore, GTA Wireless meets the requirement to provide access to emergency service.

6. Access to Operator Services. GTA Wireless intends to offer customers access to operator services throughout Guam.

¹¹ *Universal Service First Report and Order*, 12 FCC Rcd. at 8815, ¶ 71 (1997).

¹² *Id.* at 8810, ¶ 62.

¹³ *Id.* at 8826-27, ¶ 90.

¹⁴ *Id.*

7. Access to Interexchange Service. Throughout Guam, GTA Wireless currently provides customers with the ability to make and receive interexchange or toll calls through direct interconnection arrangements with an interexchange carrier (“IXC”).

8. Access to Directory Assistance. Throughout Guam, GTA Wireless currently provides customers with access to directory assistance by dialing “411” or “555-1212.”

9. Toll Limitation for Qualifying Low-Income Customers. Once designated an ETC for Guam, GTA Wireless will participate in Lifeline as required in Guam, and will offer toll blocking in satisfaction of the FCC’s requirement. Throughout Guam, GTA Wireless currently provides, or intends to provide, toll blocking services for international calls and customer selected toll calls. GTA Wireless will utilize the same toll blocking technology to provide toll limitation for qualifying low-income customers, at no charge, as part of its universal service offerings in the rural portion of its licensed service territory.

C. GTA Wireless Provides the Supported Services Using its Own Facilities

GTA Wireless either provides, or intends to provide, the supported services under Section 214(e)(1)(A) of the Act and Section 54.101(a) of the Commission’s rules throughout the Territory of Guam using GTA Wireless’s existing network infrastructure, consisting of switching, trunking, cell sites, and network equipment, together with any expansions and enhancements to that network.

D. GTA Wireless Will Advertise its Universal Service Offering

Consistent with Section 54.201(d)(1) of the Commission’s rules, GTA Wireless will advertise the availability of its universal service offering, and the charges therefor, using media of general distribution. In particular, GTA Wireless certifies that it will use media of general distribution that it currently employs to advertise its universal service offering throughout the Territory of Guam. Currently, GTA Wireless advertises principally through newspaper of general circulation in Guam and other local media, as well as bill inserts and direct advertising

and marketing. GTA Wireless will expand upon these media, as necessary, to insure that consumers within its designated service area are fully informed of its universal service offering. In addition, GTA Wireless will provide notice of its service offering in local unemployment offices, social security and welfare offices and will publicize construction of new facilities in unserved or underserved areas so that consumers understand the new facilities provide improved service in their area of interest. Moreover, given the fact that ETCs receive universal service support only to the extent they serve customers, and given the investments GTA Wireless plans to make to enhance its network to fully serve the universal service needs of consumers on Guam, GTA Wireless will have strong economic incentives to vigorously promote its universal service offering on Guam.

E. Special Commitments and Certifications

1. All Federal High Cost Support shall be used Consistent with the Act. GTA certifies that consistent with Section 54.314(b) of the Commission rules, all federal high-cost support will be used solely for the provision, maintenance and upgrading of facilities and services for which support is intended pursuant to Section 254(e) of the Act.

2. Commitment to Provide Service to Rural Customers. GTA Wireless commits to provide all Guam residents with new services comparable to those provided in urban areas, including, mobility, basic voicemail, voice message notification, numeric paging, call forwarding, three-way calling, call waiting, premium voicemail, voice dial, etc.

3. Commitment to Provide Service to Requesting Customers. Consistent with the requirements laid out by the Commission in the *Virginia Cellular Order*,¹⁵ the *Highland Cellular*

¹⁵ Federal-State Joint Board on Universal Service, *Virginia Cellular Inc. Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia*, Memorandum Opinion and Order, 19 FCC Rcd. 1563 (rel. January 22, 2004) (the “*Virginia Cellular Order*”).

Order,¹⁶ and the *ETC Order*,¹⁷ GTA Wireless hereby commits to provide service to any requesting customer in the Territory of Guam. To the extent GTA Wireless receives a request from a potential customer located within the geographic footprint of its existing network, GTA Wireless will provide service immediately using its standard customer equipment. In addition, to the extent GTA Wireless receives a request from a potential customer within GTA Wireless's licensed service area but outside its existing network coverage, GTA Wireless will take a number of steps to provide service that include determining whether: (i) the requesting customer's equipment can be modified or replaced to provide service; (ii) a roof-mounted antenna or other equipment can be deployed to provide service; (iii) adjustments can be made to the nearest cell tower to provide service; (iv) there are any other adjustments that can be made to network or customer facilities to provide service; (v) GTA Wireless can offer resold services from another carrier's facilities to provide service; and (vi) an additional cell site, cell extender, or repeater can be employed or can be constructed to provide service. In addition, if after following these steps, GTA Wireless determines it still cannot provide service to the requesting customer, it will notify the requesting customer and the Commission within 30 days of making such determination.¹⁸ GTA Wireless will also include this information in an annual report filed with the Commission detailing how many requests for service were unfulfilled for the past year.

4. Commitment to Upgrade Facilities and Technology. As noted above, as part of the privatization of GTA, GTA Wireless and its parent company, TeleGuam, made a multi-million dollar commitment to the Government of Guam to improve the wireless infrastructure of

¹⁶ Federal-State Joint Board on Universal Service, *Highland Cellular Inc. Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia*, Memorandum Opinion and Order, 19 FCC Rcd. 6422 (rel. April 12, 2004) (the "*Highland Cellular Order*").

¹⁷ *ETC Order*, at ¶ 22.

¹⁸ *Id.*

Guam. In addition to expanding its current footprint, GTA Wireless intends to make significant investments to upgrade its current technology from TDMA to GSM and to develop new and exciting products for Guam's rural consumers. Shortly, GTA Wireless will supplement this Petition with a formal five-year network improvement plan as set forth in the *ETC Order* demonstrating how universal service funds will be used to improve coverage, signal strength, and/or capacity that would not occur absent receipt of high-cost support.¹⁹

5. Commitment to Improve Quality of Service. As noted above, a more robust, technologically advanced GSM network means that Guam consumers will experience fewer dropped calls and better coverage. In addition to the benefits that this new and expanded network will bring to Guam consumers, consistent with the *Highland Cellular Order*²⁰ and the *ETC Order*,²¹ GTA Wireless hereby commits to comply with the Cellular Telecommunications Industry Association's Code for Wireless Service (the "Code"). The Code sets out best principles, disclosures and practices for the provision of wireless services.

6. Ability to Remain Functional in Emergency Situations. Consistent with the *ETC Order*,²² GTA Wireless has a reasonable amount of backup power to ensure functionality without an external power source. GTA Wireless is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.

7. Acknowledgement of Equal Access Requirement. Consistent with the *ETC Order*,²³ GTA Wireless acknowledges that the Commission may require GTA Wireless to

¹⁹ *ETC Order*, at ¶¶ 21, 23.

²⁰ *Highland Cellular Order*, at ¶ 24.

²¹ *ETC Order*, at ¶ 28.

²² *ETC Order*, at ¶ 25.

²³ *ETC Order*, at ¶ 35.

provide equal access to long distance carriers in its designated service area in the event that no other ETC is providing equal access within the service area. Currently, however, CMRS providers such as GTA Wireless are not required by provide equal access pursuant to Section 332(c)(8) of the Act.

8. Commitment to Submit Records and Documentation. Consistent with the *ETC Order*,²⁴ GTA Wireless hereby commits to submit the Commission records and documentation on an annual basis detailing: (i) GTA Wireless's progress towards meeting its build-out plans; (ii) information on any outage lasting at least 30 minutes and potentially affecting either at least 10 percent of the end users served or 911 facilities; (iii) the number of requests for service from potential customers within GTA Wireless's service area that were unfulfilled for the past year; (iv) the number of complaints per 1,000 handsets; (v) GTA Wireless's compliance with the CTIA Consumer Code; (vi) GTA Wireless's ability to function in emergency situations; (vii) GTA Wireless's certification that it is offering a local usage plan comparable to that offered by the incumbent local exchange carrier; and (viii) GTA Wireless's certification that it acknowledges that the Commission may require it to provide equal access to long distance carriers in the event that no other ETC is providing equal access in the service area. In addition, GTA Wireless hereby commits to provide any additional information or reports that the Commission may request from time to time.

F. Designating GTA Wireless as an ETC Will Advance the Public Interest

GTA Wireless requests ETC designation throughout the Territory of Guam. As noted above, GTA Wireless proposes to provide service as an ETC to the entire Territory of Guam, and emphasizes that it is not "picking and choosing" a designated service area based upon the high or

²⁴ *ETC Order*, at ¶ 69.

low cost of serving any particular portion of its service territory. GTA Wireless requests the specified ETC area solely on Guam, and will provide designated ETC services to all requesting customers throughout Guam.

In granting ETC designations, the burden of proof is on the applicant.²⁵ The designation of GTA Wireless as ETC clearly is in the public interest. Designating GTA Wireless as an ETC fulfills several of the underlying federal policies favoring competition and the provision of affordable telecommunications service to consumers. Granting ETC status to GTA Wireless will promote competition in the provision of universal services to the benefit of consumers on Guam by creating incentives to ensure that quality services are available at “just, reasonable, and affordable rates.” In addition, designating GTA Wireless as an ETC will advance universal service by bringing consumers on Guam new and advanced telecommunications services, including advanced wireless local service, which would create increased competitive choice. As noted previously, with the improved GSM platform GTA Wireless will not only attract the residents of Guam due to improved coverage on the island, but will be a major draw for increased military use. U.S. troops stationed on Guam and their dependents will be able to buy a wireless service package that offers unlimited calls both locally and to the mainland United States.

Given that the population of the whole territory of Guam is less than 200,000 inhabitants, the designation of GTA Wireless as an ETC will not have a significant impact or constraint on the Universal Service Fund.

As noted above and consistent with the Commission’s public interest considerations laid out in the *Highland Cellular Order* and *ETC Order*,²⁶ GTA Wireless commits to provide high

²⁵ *Id.* at ¶ 20.

²⁶ *Id.* at ¶¶ 22-36.

quality, low cost, reliable wireless telecommunications services and commits to provide the Commission with information regarding compliance with its commitments. In addition, GTA Wireless hereby submits that it is well funded to comply with its obligations under its wireless licenses and commits to expand its wireless offering on Guam.

In sum, in this petition GTA Wireless has made significant commitments to improve the wireless services available throughout Guam. GTA Wireless's universal service offering will provide benefits to consumers in situations where they do not have access to a wireline phone. Grant of ETC designation would serve the public interest and convenience, and would permit GTA Wireless to comply with these commitments.

IV. ANTI-DRUG ABUSE CERTIFICATION

GTA Wireless certifies that no party to this Petition is subject to a denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.²⁷

²⁷ 21 U.S.C. § 862. *See* attached Certification in the Declaration of Robert Taylor at Exhibit 1.

V. CONCLUSION

For the foregoing reasons, GTA Wireless respectfully requests ETC designation for the entire Territory of Guam.

Respectfully Submitted,



Paul O. Gagnier

Ulises R. Pin

Jeanne W. Stockman

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Counsel for GTA Wireless, LLC

Date: May 19, 2005

EXHIBITS

Exhibit 1

Declaration of Robert Taylor

Exhibit 2

Letter from the Guam Public Utilities Commission

Exhibit 3

Maps of Current GTA Wireless Coverage Area

Exhibit 4

Wire Center Information

Exhibit 1

Declaration of Robert Taylor

I, Robert Taylor, do hereby declare under penalty of perjury as follows:

1. I am the Chief Executive Officer of GTA Wireless, LLC ("GTA Wireless").
2. This Declaration is submitted in support of GTA Wireless's Petition for Designation as an Eligible Telecommunications Carrier to serve Guam.
3. I declare and certify as follows, and as described in the aforementioned petition, that: this Petition of GTA Wireless is not subject to the jurisdiction of the Guam Public Utilities Commission; GTA Wireless offers, or will offer, all of the services designated by the Commission for support pursuant to Section 254(c) of the Act to any requesting customer within its designated service area; GTA Wireless offers, or will offer, the supported services either using its own facilities or a combination of its own facilities and resale of another carrier's services; and GTA Wireless advertises, or will advertise, the availability of supported services and the charges therefor using media of general distribution as described in the Advertising Plan attached to the aforementioned Petition.
4. I declare that to the best of my knowledge, GTA Wireless, including all officers, directors, or persons holding 5% or more of the outstanding voting and/or nonvoting equity interests (the sole member of GTA Wireless is TeleGuam Holdings, LLC, a Delaware limited liability company), as specified in Section 1.2002(b) of the Commission's rules are not subject to a denial of federal benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.
5. I further declare that I have reviewed the aforementioned Petition and that the facts stated therein, of which I have personal knowledge, are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.


Robert Taylor

Date: May 13, 2005

Exhibit 2

Letter of the GPUC

**PUBLIC UTILITIES COMMISSION
OF GUAM**

Terrence M. Brooks, Chairman
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Harry M. Boertzel, Esq.
Administrative Law Judge

Lourdes R. Palomo
Administrator

February 25, 2005

VIA FACSIMILE: (202) 295-8478

Paul O. Gagnier
Swidler Berlin, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007

Re: Designation of GTA Wireless, LLC as an Eligible Telecommunications Carrier

Dear Mr. Gagnier:

As requested by GTA Wireless, LLC ("GTA Wireless"), this letter confirms that the Public Utilities Commission of Guam ("Commission") currently intends to refrain from exercising jurisdiction over GTA Wireless for the limited purpose of acting upon GTA Wireless's currently proposed petition for designation as an Eligible Telecommunications Carrier ("ETC") under Section 214(e) of the Communications Act of 1934, as amended ("Communications Act") for purposes of federal universal service support. This letter is not intended to limit the Commission's jurisdiction over GTA Wireless or other commercial mobile radio service ("CMRS") providers, and the Commission reserves the right, consistent with the Communications Act and applicable Guam law, to regulate such providers and to designate other CMRS providers as ETCs, including the right to designate GTA Wireless as an eligible telecommunications carrier for purposes of any future state universal service support mechanism enacted by the Territory of Guam.

Accordingly, to the extent that GTA Wireless intends to seek ETC designation as a CMRS provider on or before June 1, 2005, GTA Wireless should submit a petition seeking such designation to the Federal Communications Commission ("FCC"), provided that (a) GTA Wireless shall promptly provide the Commission with a copy of any such petition, (b) GTA Wireless shall promptly provide the Commission with a copy of the FCC's public notice concerning the solicitation of comments for such petition, and (c) the Commission specifically reserves the right to file comments with the FCC concerning such petition.

Sincerely,

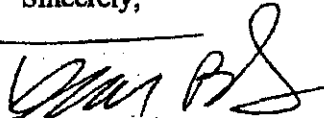

Terrence M. Brooks
Chairman

Exhibit 3

Maps of Current GTA Wireless Coverage Area

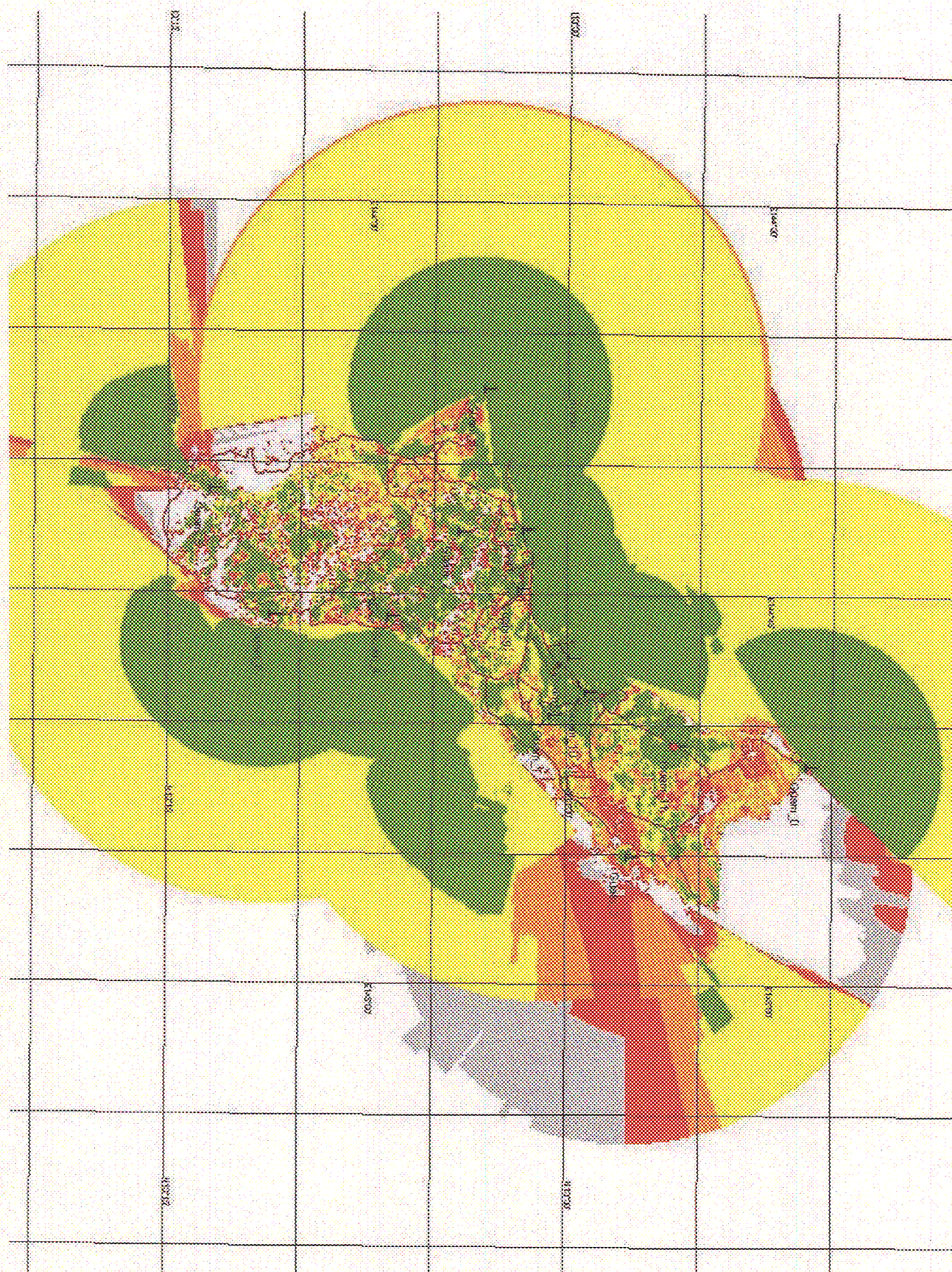


Exhibit 4

Wire Center Information

EXHIBIT 4 – WIRE CENTER INFORMATION*

TUMON

AGANA

DEDEDO

*All wire center information is for wire centers on the Territory of Guam, NPA 671.

CERTIFICATE OF SERVICE

I, Bernadette Clark, hereby certify that on this 19th day of May, 2005, copies of the foregoing Petition for Designation as an Eligible Telecommunications Carrier were served on the following by U.S. mail or, where indicated by an asterisk, by hand delivery:

Marlene H. Dortch, Secretary*
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Sheryl Todd*
Wireline Competition Bureau
Federal Communications Commission
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Public Utilities Commission of Guam
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Bernadette Clark